

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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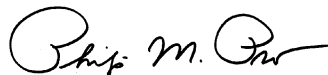
UNITED STATES OF AMERICA,)	
)	2:10-CR-00178-PMP-VCF
Plaintiff,)	
vs.)	
)	<u>ORDER</u>
BILLY CEPERO,)	
)	
Defendant .)	

In response to this Court's Order (Doc. #11) entered March 13, 2013, Defendant Cepero has filed his Response to the Court's Order to Show Cause and Request that the Time for Filing his Notice of Appeal be extended for a period of thirty days. Having considered Defendant Cepero's Response (Doc. #113), the Court finds that Defendant Cepero has shown excusable neglect or good cause as to why he filed his original Notice of Appeal more than fourteen days, but within thirty days after expiration of the time to file his Notice of Appeal under Federal Rule of Appellate Procedure 4(c)(1). Therefore, this Court recommends to the United States Court of Appeals for the Ninth Circuit that Defendant Cepero's Notice of Appeal be deemed timely.

IT IS SO ORDERED.

IT IS FURTHER ORDERED that the Clerk of Court shall forthwith serve a copy of this Order on the Clerk of Court for the United States Court of Appeals for the Ninth Circuit to the attention of Peter L. Shaw, Appellate Commissioner.

DATED: May 29, 2013.



PHILIP M. PRO
United States District Judge